
By: **Delegate Arnick**
Introduced and read first time: January 24, 2003
Assigned to: Judiciary

Committee Report: Favorable
House action: Adopted
Read second time: February 11, 2003

CHAPTER _____

1 AN ACT concerning

2 **Criminal Records - Expungement after Pardon - Time of Filing**

3 FOR the purpose of repealing the waiting period before certain persons may file a
4 petition for expungement of certain criminal records that is based on a full and
5 unconditional pardon by the Governor; and generally relating to expungement of
6 criminal records.

7 BY repealing and reenacting, without amendments,
8 Article - Criminal Procedure
9 Section 10-105(a)(8)
10 Annotated Code of Maryland
11 (2001 Volume and 2002 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Criminal Procedure
14 Section 10-105(c)(3)
15 Annotated Code of Maryland
16 (2001 Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Criminal Procedure

2 10-105.

3 (a) A person who has been charged with the commission of a crime, including
4 a violation of the Transportation Article for which a term of imprisonment may be
5 imposed, may file a petition listing relevant facts for expungement of a police record,
6 court record, or other record maintained by the State or a political subdivision of the
7 State if:

8 (8) the person:

9 (i) is convicted of only one criminal act, and that act is not a crime
10 of violence; and

11 (ii) is granted a full and unconditional pardon by the Governor.

12 (c) (3) A petition for expungement based on a full and unconditional pardon
13 by the Governor may not be filed [earlier than 5 years or] later than 10 years after
14 the pardon was signed by the Governor.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2003.